S.B.CRIMINAL MISC. BAIL APPLICATION NO.5375/2007
(Smt. Anju vs. State of Rajasthan)

DATE OF ORDER : November 16, 2007

HON'BLE MR.H.R.PANWAR,J.

Mr.M.K.Garg, for the petitioner.
Mr.Ashok Upadhyaya, Public Prosecutor for State.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned and the police investigation diary.

It is contended by learned counsel for the petitioner that similarly situated co-accused Satish Kumar has already been granted anticipatory bail and the case of the present petitioner is not distinguishable from that of co-accused, who has been granted bail. This fact has not been disputed by the learned Public Prosecutor.

Looking to the facts and circumstances of the case and the fact that similarly situated co-accused has already been granted anticipatory bail, having considered the oral arguments advanced by learned counsel for the parties, I consider it just and proper to grant anticipatory bail to the petitioner.

Accordingly, the bail application filed by petitioner under section 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Smt. Anju w/o Satish Kumar in FIR No.71/2007, Police Station, Mahila Thana, Sri Ganganagar, she shall be released on bail for a period till the police concludes the investigation and files the challan provided she furnishes a personal bond in the sum of Rs.10,000/- along with one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That she shall make herself available for interrogation by a police officer as and when required;

(ii)That she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to any police officer and;

(iii)That she shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan.

(H.R.PANWAR),J.

m.asif/-